

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICHELLE MCGEE, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

NORDSTROM INC.,

Defendant.

No. 2:23-cv-01875

**STATUS REPORT AND STIPULATED  
MOTION AND ORDER TO CONTINUE  
STAY OF DEADLINES TO ALLOW  
SETTLEMENT DISCUSSIONS**

NOTE ON MOTION CALENDAR:  
April 5, 2024

Plaintiff Michelle McGee (“Plaintiff”) and Defendant Nordstrom Inc. (“Nordstrom”) (collectively, the “Parties”) provide this status report and, subject to the Court’s approval, stipulate and agree as follows:

1. On February 12, 2024, the Court entered an Order (Dkt. 13) granting the Parties’ Stipulated Motion to Strike Deadlines to Allow Settlement Discussions (Dkt. 12). Pursuant to that Order and to allow the Parties to determine whether this matter can be resolved before litigation begins, the Court struck all then-current deadlines, including the deadlines set forth in Court’s Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement (Dkt. No. 9) and Nordstrom’s deadline to respond to the Complaint. The Parties agreed to file a status report on April 4, 2024 regarding their efforts to resolve the matter.

2. Although the Parties have not reached a settlement, the Parties are engaged in good faith settlement discussions, and agree that formal mediation with a third-party neutral would be beneficial and further facilitate a potential resolution.

3. Accordingly, the Parties request that the Court continue its stay of all deadlines to allow the Parties time to schedule and conduct a formal mediation. Subject to the Court's approval, the Parties propose providing a status report regarding their efforts to resolve this matter 60 days from the date of the order granting the instant Stipulated Motion. The Parties will also update the Court in the interim after the mediation date has been scheduled.

4. By entering into this stipulation, the Parties hereto do not waive, and expressly preserve, all rights, remedies, and defenses.

Respectfully submitted this 5th day of April, 2024

CARSON NOEL PLLC

DLA PIPER LLP (US)

s/ Wright A. Noel

s/ Austin Rainwater

Wright A. Noel, WSBA No. 25264  
20 Sixth Avenue NE  
Issaquah, WA 98027  
E-mail: [wright@carsonnoel.com](mailto:wright@carsonnoel.com)

Austin Rainwater, WSBA No. 41904  
Jeffrey DeGroot, WSBA No. 46839  
Virginia Weeks, WSBA No. 55007  
701 Fifth Avenue, Suite 6900  
Seattle, Washington 98104-7029  
Tel: 206.839.4800

BURSOR & FISHER, P.A.

E-mail: [austin.rainwater@us.dlapiper.com](mailto:austin.rainwater@us.dlapiper.com)  
[jeffrey.degroot@us.dlapiper.com](mailto:jeffrey.degroot@us.dlapiper.com)  
[virginia.weeks@us.dlapiper.com](mailto:virginia.weeks@us.dlapiper.com)

s/ Yitzchak Kopel

Yitzchak Kopel, *pro hac forthcoming*  
Israel Rosenberg, *pro hac forthcoming*  
1330 Avenue of the Americas, 32<sup>nd</sup> Floor  
New York, NY 10019  
E-mail: [ykopel@bursor.com](mailto:ykopel@bursor.com)  
[irosenberg@bursor.com](mailto:irosenberg@bursor.com)

Isabelle L. Ord, *pro hac vice forthcoming*  
555 Mission Street, Suite 2400  
San Francisco, CA 94105-2933  
E-mail: [isabelle.ord@us.dlapiper.com](mailto:isabelle.ord@us.dlapiper.com)

Christopher Reilly, *pro hac forthcoming*  
701 Brickell Avenue, Suite 1420  
Miami, FL 33131  
E-mail: [creilly@bursor.com](mailto:creilly@bursor.com)

*Attorneys for Defendant Nordstrom, Inc*

*Attorneys for Plaintiff*

**ORDER**

IT IS SO ORDERED. The parties must file a status report within sixty (60) days of this order.

Dated this 5th day of April, 2024.



Honorable John H. Chun  
United States District Judge